

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Devon Seivers,

Court File No.: 09-cv-816 (DSD/SRN)

Plaintiff,

v.

**City of Minneapolis, Minneapolis Police
Officers James Bulleigh (Badge #0860) and
Daniel Lysholm (Badge #4309), both
individually and officially, John Does and
other unnamed Police Officers, and
Timothy Dolan, Chief of Minneapolis
Police, personally and individually,**

**DECLARATION OF GREGORY P.
SAUTTER**

Defendants.

Your Declarant is Gregory P. Sautter, and he submits the following declaration on behalf of Defendants City of Minneapolis, James Bulleigh, Daniel Lysholm, and Timothy Dolan, and states as follows, under penalty of perjury:

1. I am licensed to practice law before the courts of the State of Minnesota, and the United States District Court for the District of Minnesota. I am employed as an Assistant City Attorney by the City of Minneapolis and in that capacity I represent Defendants City of Minneapolis, James Bulleigh, Daniel Lysholm, and Timothy Dolan, in the above captioned matter.

2. On May 6, 2010, I attended the deposition of Officer James Bulleigh. During that deposition Mr. Goins requested that Defendants agree to change

some errors in the Complaint. The text of the complete conversation is contained on the record of that deposition, which is attached as Exhibit A to the Affidavit of Darla Boggs. To the best of my memory, we had no "off the record" conversation regarding the issue during the deposition, our complete conversation is reflected in the deposition transcript, Exhibit A to the Affidavit of Darla Boggs, page 5. I did not agree to any specific changes and did not understand that Plaintiff proposed to make substantive changes to the Complaint during the deposition.

3. On June 28, 2010, I spoke both by phone and communicated by e-mail with Mr. Goins about his proposed changes to the complaint. I stated orally that a change in the criminal statute that Count X referred to was a substantive change that Defendants would not agree to. The remaining substance of those communications is reflected in Exhibit C to the Affidavit of Darla Boggs.

4. During my communications with Mr. Goins on June 28, 2010, I informed him that Defendants intended to file their summary judgment motion papers on Wednesday, June 30, 2010, or Thursday, July 1, 2010. Mr. Goins informed me that he would pursue a motion to amend the Complaint.

5. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed pursuant to 28 U.S.C. § 1746 on today's date July 30, 2010.

DATE: July 30, 2010

SUSAL L. SEGAL

s/Gregory P. Sautter

GREGORY P. SAUTTER

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*Attorneys for Defendants City, Bulleigh,
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